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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,162	06/20/2003	Scrivasa Mpr	13943US01	9706
23446 7590 08/20/2008 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER DIEP, NHON THANH				
ART UNIT 2621		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/600,162

**Applicant(s)**

MPR ET AL.

**Examiner**

Nhon T. Diep

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/17/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed on 5/2/08 with respect to claims 17-22 have been fully considered but they are not persuasive.
2. Claims 17-19 remain rejected under 35 U.S.C. 102(e) as being anticipated by Gatto et al, (hereinafter referred to as "Gatto"), as was set forth in the Office Action of 11/15/07.
3. The Applicant presents two substantive arguments contending the Examiner's previously pending rejection of claims 17-19 under 35 U.S.C. 102(e) as being anticipated by Gatto et al, cited previously, as was set forth in the Office Action of 11/15/07. However, after a careful consideration of the arguments presented and further scrutiny of the reference, the Examiner must respectfully disagree, and maintain the grounds of rejection against the previously pending claims, and further apply the references against the newly added claims.

Regarding pending claims 17 and 20, the Applicant argues that Gatto fails to address the "a single video decoder..." limitation because while it discloses "one or more decoders..." the reference must be interpreted as using plural decoders since Gatto discloses "...a plurality of input streams to the decoder must be compressed or encoded..." (Amendment of 5/2/08: page 4, lines 7-28; page 5, lines 1-4). The Examiner respectfully disagrees. Gatto allows for the singular decoder implementation for processing multiple streams by itself particularly since the reference teaches of ample storage for the input streams (Gatto: paragraph [0039], lines 10-20), and since a

"watchdog" processor would monitor ensure that enough of each stream was throughput through the singular processor (Gatto: paragraph [0041], lines 8-14: control video signal flow). Accordingly, the Examiner maintains that Gatto reads upon the limitation since it anticipates the processing of multiple input streams of video data by a single video decoder, as in the claims.

After further elaborating on the "...a register for indicating..." limitation of the claims under discussion (Amendment of 5/2/08: page 5, lines 5-8; page 7, lines 16-29; page 8, lines 1-22), providing analysis upon the citation of record (Amendment of 5/2/08: page 5, lines 9-15), and establishing the legal basis for their argument (Amendment of 5/2/08: page 5, lines 16-27; page 6, 1-31; page 7, lines 1-18), the Applicants argue that Gatto's use of registers may be present, but that isn't sufficient to prove inherency. The Examiner agrees, but and will direct Applicant's attention to Gatto's discussion the home application to show the existence of said registers. The Examiner notes that Gatto discloses the use of an events manager slave module which manages all "...current and future..." events, and further discloses an events database (Gatto: paragraph [0142], lines 1-10). When those events are video based, particularly, compressed video based (Gatto: paragraph [0040], lines 10-20), a prediction index is generated for that video events database. Accordingly, the Examiner maintains that the limitation is met.

A detailed rejection of the newly added claims follows.

***Claim Rejections - 35 USC § 102***

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 17-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Gatto et al, cited previously.

Gatto et al discloses an interactive television devices and systems comprising the same system for providing a plurality of videos simultaneous display, said system comprising: a video decoder for decompressing a plurality of compressed video streams, thereby resulting in a plurality of decompressed video streams, wherein each of said decompressed video streams comprises a plurality of pictures (paragraph 0007 shows only a video decoder for accepting a plurality of input stream); and a register for indicating a past prediction picture, and a future prediction picture for each of the plurality of compressed video streams (paragraph 0009 shows MPEG which comprises I, P and B frames and since MPEG involves predictive coding, registers or frame memories must be reserved at the decoder so one can predict pictures in the GOP based on those stored reference frames) as specified in claims 17 and 20; wherein the video decoder motion compensates motion estimated pictures in each of the plurality of compressed video streams using at least the past prediction pictures indicated by said register for each of the plurality of compressed video streams (inherently included in

MPEG standards) as specified in claim 18; and wherein said register indicates a picture for display for each of the plurality of compressed video streams (again, MPEG transmits pictures in GOP with different order than displaying order so it requires the indicating of displaying picture) and further comprising: a display engine for providing an output, said output concatenating the pictures for display for each of the plurality of compressed video streams indicated by the register as specified in claim 19; the display engine examines the register, selects the pictures indicated by the register for display, and concatenates the picture indicated for display by the register; and the display engine requests the pictures indicated by the register for display, from the frame buffer as specified in claims 21-22 (fig. 8 and paragraphs 0036, 0040, 0142-0145: The events manager slave module 1208 may access an events database 1222 (or some other structure configured to store events information), which may include an entry for each current and future event carried out or to be carried out by the home application 1200 running on the present interactive TV device. The events database 1222 may, according to an embodiment of the present invention, store an event ID, which is a chronologically-assigned number for each event, an indication of the type of event (display of a channel, recording of a channel, etc.)...., and [0145] h) A video editor slave module 1214, which enables the user to edit a stored video stream using a full function video editor. ) as specified in claims 19 and 20-22.

### ***Conclusion***

6. Applicant's amendment adding claims 20-22 necessitated the new ground(s) of rejection presented in this Office action against those newly added claims. Accordingly,

**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND

/Nhon T Diep/

Primary Examiner, Art Unit 2621